IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 18362 of 2007(J)

PETITIONER:

JAYAPRAKASH, S/O. DAMODHARAN,
AGED 46 YEARS, ELASSERIL VEETTIL,
THAMBARUVIKALAMURYIL, ALUMKADAVU P.O.,
KARUNAGAPPALLY VILLAGE, KOLLAM.

BY ADV. SRI.BIJU M.JOHN

RESPONDENTS:
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1. SUPERINTENDENT OF POLICE, KOLLAM.

2. CIRCLE INSPECTOR OF POLICE,
KARUNAGAPPALLY POLICE STATION, KOLLAM.

3. SUB INSPECTOR OF POLICE,
KARUNAGAPPALLY POLICE STATION, KOLLAM.

4. THAHA, S/O. MOIDEENKUNJU,
AGED ABOUT 35 YEARS, PUNTHALA VEETTIL,
THAMBARUVIKALAMURYIL, KARUNAGAPPALLY VILLAGE,
KOLLAM.

5. SAINABA, W/O. MOIDEENKUNJU,
AGED ABOUT 64 YEARS, PUNTHALA VEETTIL,
THAMBARUVIKALAMURYIL, KARUNAGAPPALLY VILLAGE,
KOLLAM.

R1 TO R3 BY GOVT.PLEADER SRI P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN & K. HEMA, JJ.

W.P.(C) NO. 18362 OF 2007

DATED THIS, THE 26TH DAY OF JUNE, 2007.

J U D G M E N T

P.R. Raman, J.

This is a composite writ petition seeking relief against the police and at the same time seeking police protection.

2. According to the petitioner, a civil dispute is pending between himself and respondents 4 and 5. Ext.P1 is an order of injunction passed by the Munsiff Court, Karunagappally against the petitioner. According to him, under the guise of Ext.P1 order, respondents 4 and 5 are attempting to tar the road and at their instance the Circle Inspector of Police, the second respondent herein, is harassing him. On the other hand, petitioner would also contend that the 4th respondent along with some of his friends, on 11.6.2007, trespassed into his property and attacked him as a result of which he was hospitalized. But he has not produced a copy of the complaint, if any, given to the police authorities. According to the petitioner, police has not registered a crime.

3. In the view we are taking, it is not necessary to issue notice to respondents 4 and 5. If either of the parties have filed any complaint before

the police complaining about any offence committed by the other party, necessarily, police will have to register a crime and enquire into the same, in accordance with law. As regards any civil dispute, the parties are relegated to the civil court for appropriate reliefs.

With the above observation, this writ petition is closed.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-